



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,820	11/04/2003	Dominic Bennett	10005.001900	6243
31894	7590	04/25/2006	EXAMINER	
OKAMOTO & BENEDICTO, LLP P.O. BOX 641330 SAN JOSE, CA 95164			HAILU, TADESSE	
			ART UNIT	PAPER NUMBER
			2173	

DATE MAILED: 04/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/700,820

Applicant(s)

BENNETT ET AL.

Examiner

Tadesse Hailu

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 November 2003.
- 2a) ☐ This action is FINAL.
- 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some \* c) ☐ None of:
    - 1. ☐ Certified copies of the priority documents have been received.
    - 2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    - 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2/2/06, 3/1/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This Office Action is in response to the patent application number 10/700,820 filed on November 4, 2003.
2. The Examiner acknowledges and considers the IDS (Information Disclosure Statement) submitted on March 1, 2004 and February 2, 2006.
3. The pending claims 1 through 25 are examined herein as follows.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3, 7-11, 13-20, 24 and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Muret et al (US Pub No 2002/0042821 A1).

Muret et al (Muret) s directed to Internet traffic and, more specifically, to a system and method for monitoring and analyzing Internet traffic.

With regard to claims 1, 14 and 17:

Muret disclose a method that include real-time analysis and reporting functionality in which data from web servers is processed as it occurs. The method of Muret can produce animated reports showing current activity on the web server, which can be used by administrators and managers to monitor website effectiveness and performance (Par. 10).

Muret includes among other things building a first database of navigation

histories of client computers on the Internet (Pars. 4, 110, and Fig. 14).

Muret includes among other things processing the navigation histories in the first database to generate relevant website traffic data (Pars. 12, 53, 71, 113 and 238).

Muret includes among other things storing the relevant website traffic data in a second database (Pars. 12, 63, 191, 281, Fig. 27).

Muret includes among other things querying the second database to generate a report indicative of website performance, the report being generated in accordance with user provided criteria (Pars. 185 and 201).

With regard to claims 2 and 18:

Muret includes among other things the navigation histories include uniform resource locators of web pages received in the client computers (Pars. 218, 272, 303).

With regard to claims 3 and 19:

Muret includes among other things that the navigation histories include domain names of websites visited using the client computers (Pars. 54, 56, 58 and 127, Fig. 33).

With regard to claims 7 and 24:

Muret includes among other things that the report includes traffic information of websites in a particular category of websites (Pars. 256 and 263).

With regard to claim 8:

Muret includes among other things that the delivering advertisements to the client computers (Pars. 11, 211, and 233).

With regard to claims 9 and 25:

Muret includes among other things that the report includes website cross-traffic information (Pars. 256 and 263).

With regard to claim 10:

Muret includes among other things that the report includes information about traffic to a set of uniform resource locators specified in the user provided criteria (Pars. 218, 272 and 303).

With regard to claim 11:

Muret includes among other things that the second database includes aggregated navigation data (Pars. 210, 223 and 265).

With regard to claim 13:

Muret includes among other things that the navigation histories are from client programs configured to deliver advertisements over the Internet (Pars. 11, 211, and 233).

With regard to claim 15:

Muret includes among other things that a report status module configured to provide a status of a report requested by way of the submission module (Par. 268).

With regard to claim 16:

Muret includes among other things that a second database configured to receive relevant website traffic data, the relevant website traffic data being obtained by processing the navigation histories (Pars. 12, 53, 71, 113 and 238).

Muret includes among other things that the report is generated by

Art Unit: 2173

querying the second database (Pars. 185 and 201).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4, 5, 6, 12, 21, 22, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Muret et al (2002/0042821 A1) in view of Tamayo et al (2002/0083067 A1).

With regard to claims 4, 5, 6, 12, 21, 22, and 23:

Muret fails to clearly show the features claimed in the above claims. But Tamayo discloses the features cited in the above claims. Tamayo discloses processing the navigational histories to remove redundant or irrelevant data (claims 4, 12, 21) (Par. 106), the redundant or irrelevant data includes short term visitors (Claims 5 and 22) (Par. 210); Tamayo also discloses several data storages for storing navigational data (Par. 86, Fig. 9) (claims 6 and 23).

Muret and Tamayo are analogous art because they are from the same field of endeavor, analyzing/mining Internet based data sources.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Tamayo's cited features, such as removing redundant or irrelevant data with Muret's navigational report because the navigational report only

consists quality and important data, and by removing redundant data enormous disk space will be saved.

Therefore, it would have been obvious to combine Muret with Tamayo to obtain the invention as specified in the above claims.

### CONCLUSION

6. Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and Figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Tadesse Hailu, whose telephone number is (571) 272-4051. The Examiner can normally be reached on M-F from 10:30 – 7:00 ET. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Kincaid, Kristine, can be reached at (571) 272-4063 Art Unit 2173 and 2174.

8. An inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

*Examiner Tadesse Hailu*  
*Art Unit 2173 – Operator Interface 4/21/06*

